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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/685,471	10/16/2003	Eog-Kyu Kim	1293.1830	5439

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EXAMINER

SWERDLOW, DANIEL

ART UNIT PAPER NUMBER

2644

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/685,471

Applicant(s)

KIM, EOG-KYU

Examiner

Daniel Swerdlow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-26 is/are rejected.
7) ☒ Claim(s) 20 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on 16 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/16/03.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 20 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 17, from which Claim 20 depends, recites that the serial connection is made in a first state and the parallel connection is made in a second state. Claim 20 recites the parallel connection is made in the first state and not made in the second state. As such, Claim 20 is inconsistent with Claim 17 and fails to properly further limit it. To advance prosecution to maximum degree possible, examiner makes a prior art rejection below based on the interpretation that Claim 20 is intended to recite that when in the second state the parallel connection is formed and when in the first state the parallel connection is not formed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 through 6 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Streck (US Patent 4,856,049).

4. Regarding Claim 1, Streck discloses a standalone answering and switching unit (i.e., telecommunication terminal device) (Fig. 12, reference 42'; column 7, lines 11-20) for use with a

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telephone line (i.e., a public telephone network) that connects a telephone and a fax machine (i.e., external terminal devices of different types) to the network (Fig. 12, reference 10, 14). Streck further discloses a telephone line in connection (i.e., a first pin and a second pin) connecting to the telephone line (i.e., the public telephone network) (Fig. 12, reference 12; column 8, lines 53-56) and a connection (i.e., a third pin and a fourth pin) for a telephone (i.e., a first external terminal device of a first type) (Fig. 12, reference 10) that is connected to the telephone line through a switch (i.e., a first switching unit) (Fig. 12, reference 26; column 5, lines 55-65). Streck further discloses the switch selectively connects the telephone (i.e., first external terminal device) and a fax machine (i.e., a second external terminal device of a second type other than the first type) with the telephone line (i.e., the public telephone network) (column 5, lines 55-65). Streck further discloses a connection for the fax machine (i.e., a first external terminal connection unit having at least a fifth pin and a sixth pin through which the second external terminal device is connected to the first and the second pins according to the first switching unit) (Fig. 12, reference 14; column 7, lines 45-48). Streck further discloses an answering module (i.e., a feeding circuit) (Fig. 12, reference 46; column 7, lines 36-38, 62-63) that answers incoming calls (i.e., keeps a current provided from the public network flowing).

5. Regarding Claim 2, Streck further discloses the switch (Fig. 12, reference 26) selectively connecting the telephone line (i.e., the first pin) to the telephone connection (i.e., the third pin) and the single line answering module (i.e., the feeding circuit).

6. Regarding Claims 3 and 4, Streck further discloses a connection (i.e., transmission line) that connects the single line answering module (i.e., the feeding circuit) to the telephone line (i.e., the second pin) via the common contact of the switch (i.e., first switching unit) (Fig. 12,

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reference 26) that selectively connects the telephone (i.e., fourth pin) and a fax machine (i.e., sixth pin) with the same connection (i.e., transmission line) (column 5, lines 55-65).

7. Regarding Claims 5 and 6, Streck further discloses answering logic (column 8, lines 1-14) that corresponds to the external terminal detection unit claimed, is connected between switch (i.e., first switching unit) and the connection that corresponds to the transmission line claimed (Fig. 12) and detects carrier signals from both the remote fax machine and the attached fax machine (i.e., detects whether telecommunication signals are transmitted and received between the second external terminal device and the public telephone network).

8. Regarding Claim 9, Streck further discloses a switch that selectively connects the telephone (i.e., first external terminal device) and a fax machine (i.e., a second external terminal device of a second type other than the first type) with the telephone line (i.e., the public telephone network) (column 5, lines 55-65). The configuration disclosed by Streck connects one or the other of these devices directly to the telephone line and, as such, is usable with either serial or parallel connections. Because the claim is to a device and the device disclosed by Streck would meet the claim if used with a serial device in one port and a parallel device in the other, the recitations related to the serial and parallel connections are mere intended use and not limiting on the device claimed.

9. Claims 8 and 10 through 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Klupt et al. (US Patent 5,014,299).

10. Regarding Claim 8, Klupt discloses a modem coupler (Figs. 2-4, reference MC; column 3, lines 61-66) in which: a selector switch selects a voice communication mode (i.e., determines

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whether a first external terminal device is selected) (Fig. 4, reference 29; column 4, lines 12-21); if the voice mode (i.e., first external telephone device) is selected allowing telecommunication between a telephone set (i.e., the first external telephone device) and a telephone network (Fig. 4, reference 10; column 4, lines 36-41); the selector switch selects a data communication mode (i.e., if the first external terminal device is not selected, determining whether a second external terminal device is selected); and if the data mode (i.e., second external telephone device) is selected allowing telecommunication between a modem (i.e., the second external telephone device) and a telephone network (Fig. 4, reference 16; column 4, lines 49-57).

11. Regarding Claim 10, Klupt further discloses establishing a four-wire (i.e., parallel) connection between the telephone set (i.e., first external telephone device) and the telephone network (Fig. 4, reference 11; column 3, lines 26-38).

12. Regarding Claim 11, Klupt further discloses establishing a two-wire (i.e., serial) connection between the modem (i.e., second external telephone device) and the telephone network (Fig. 4, reference 23; column 4, lines 51-53).

13. Regarding Claim 12, Klupt further discloses establishing a four-wire (i.e., the other one of the serial and the parallel) connection between the telephone set (i.e., first external telephone device) and the telephone network (Fig. 4, reference 11; column 3, lines 26-38).

14. Regarding Claim 13, Klupt further discloses a modem coupler (Figs. 2-4, reference MC; column 3, lines 61-66) that corresponds to the switching unit claimed and establishes the serial connection between the modem that corresponds to the second external terminal device claimed and a telephone network (Fig. 4, reference 16; column 4, lines 49-57) in a data communication mode that corresponds to the first state claimed and establishes the parallel connection between

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the telephone set (i.e., the first external telephone device) and a telephone network (Fig. 4, reference 10; column 4, lines 36-41) in a voice communication mode that corresponds to the second state claimed.

15. Regarding Claim 16, Klupt further discloses releasing the central line (i.e., opening the connection between the public telephone network and one of the terminal devices so as to disconnect an established connection) by placing the phone on hook (i.e., regardless of the state of the switching system) (column 5, lines 3-5).

16. Regarding Claim 14, Klupt further discloses a switch with labeled positions (Fig. 3 reference 29) that indicates to a user that the modem is selected (i.e., the second external telephone device is connected to the telephone network).

17. Regarding Claim 15, Klupt further discloses releasing the central line (i.e., opening the connection between the public telephone network and one of the terminal devices so as to disconnect an established connection) by placing the phone on hook (column 5, lines 3-5).

18. Regarding Claim 17, Klupt discloses a modem coupler that corresponds to the terminal device claimed and is used with a telephone set and a modem (i.e., external terminal devices of different types) (Figs. 2-4, reference MC, 10, 16; column 3, lines 52-66) comprising: a line jack (Fig. 4, reference 27; column 4, lines 6-9) that corresponds to the network connection unit claimed and connects to the station jack of the telephone system (i.e., through which a connection to the telephone network is maintained); a modem plug (Fig. 4, reference 24; column 4, lines 1-2) that corresponds to the first external terminal connection unit claimed and connects a modem (i.e., serial type external terminal device) to the telephone system via the line jack when a switch (Fig. 4, reference 29) is in a data communication mode (i.e., according to a first

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switching unit being in a first state) (column 4, lines 49-57); a phone jack (Fig. 4, reference 25; column 4, lines 3-6) that corresponds to the second external terminal connection unit claimed and connects a telephone set (i.e., parallel type external terminal device) to the telephone system via the line jack when the switch is in a voice communication mode (i.e., according to a first switching unit being in a second state) (column 4, lines 49-57); and the switch (i.e., first switching unit) is connected between the line jack (Fig. 4, reference 27; column 4, lines 6-9) that corresponds to the network connection unit claimed and the modem plug (Fig. 4, reference 24; column 4, lines 1-2) that corresponds to the first external terminal connection unit claimed and the phone jack (Fig. 4, reference 25; column 4, lines 3-6) that corresponds to the second external terminal connection unit claimed such that the devices are connected to the telephone network according to the mode (i.e., state) of operation.

19. Regarding Claim 18, Klupt further discloses a body of the modem coupler (Fig. 3, reference MC) that corresponds to the connection unit claimed and comprises the line jack (Fig. 4, reference 27; column 4, lines 6-9) that corresponds to the network connection unit claimed and the phone jack (Fig. 4, reference 25; column 4, lines 3-6) that corresponds to the second external terminal connection unit claimed.

20. Regarding Claim 19, Klupt further discloses: the line jack (Fig. 4, reference 27; column 4, lines 6-9) that corresponds to the network connection unit claimed having tip and ring connections (i.e., first and second pins) (Fig. 4, reference T1, T2); the modem plug (Fig. 4, reference 24; column 4, lines 1-2) that corresponds to the first external terminal connection unit claimed having two connections (i.e., third and fourth pins) (Fig. 4, reference T9, T10); and a switch section (i.e., first switching unit) (Fig. 4, reference P1, C1, C3) is connected between the

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ring line (i.e., the first pin) (Fig. 4, reference T1) and the associated modem connection (i.e., the third pin) (Fig. 4, reference T9) so that in the data communication mode (i.e., first state) the modem (i.e., serial) connection is formed and in the voice communication mode (i.e., second state) the modem (i.e., serial) connection is not formed.

21. Regarding Claim 21, Klupt further discloses: the phone jack (Fig. 4, reference 25; column 4, lines 3-6) that corresponds to the second external terminal connection unit claimed having tip and ring connections (i.e., fifth and sixth pins) (Fig. 4, reference T4, T3); and the switch section (i.e., first switching unit) (Fig. 4, reference P1, C1, C3) is disposed between the ring line (i.e., the first pin) (Fig. 4, reference T1) and the associated telephone set connection (i.e., the fifth pin) (Fig. 4, reference T4) so that in the voice communication mode (i.e., second state) the telephone (i.e., parallel) connection is formed and in the data communication mode (i.e., first state) the telephone (i.e., parallel) connection is not formed.

22. Regarding Claim 23, Klupt further discloses: a switch section (i.e., second switching unit) (Fig. 4, reference P2, C2, C4) disposed between the tip line (i.e., the second pin) (Fig. 4, reference T2) and the associated modem connection (i.e., the fourth pin) (Fig. 4, reference T10) so that in the data communication mode (i.e., first state) the modem (i.e., serial) connection is made (i.e., opened) and in the voice communication mode (i.e., second state) the modem (i.e., serial) connection is not made (i.e., closed).

23. Regarding Claim 20, Klupt further discloses: the line jack (Fig. 4, reference 27; column 4, lines 6-9) that corresponds to the network connection unit claimed having tip and ring connections (i.e., first and second pins) (Fig. 4, reference T1, T2); the phone jack (Fig. 4, reference 25; column 4, lines 3-6) that corresponds to the second external terminal connection

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unit claimed having tip and ring connections (i.e., third and fourth pins) (Fig. 4, reference T4, T3); and the switch section (i.e., first switching unit) (Fig. 4, reference P1, C1, C3) is disposed between the ring line (i.e., the first pin) (Fig. 4, reference T1) and the associated telephone set connection (i.e., the third pin) (Fig. 4, reference T4) so that in the voice communication mode (i.e., second state) the telephone (i.e., parallel) connection is formed and in the data communication mode (i.e., first state) the telephone (i.e., parallel) connection is not formed.

24. Regarding Claim 22, Klupt further discloses: a switch section (i.e., second switching unit) (Fig. 4, reference P2, C2, C4) disposed between the line jack (Fig. 4, reference 27; column 4, lines 6-9) that corresponds to the network connection unit claimed and the phone jack (Fig. 4, reference 25; column 4, lines 3-6) that corresponds to the second external terminal connection unit claimed such that in the data communication mode (i.e., first state) the telephone set (i.e., electrical pathway) is disconnected and in the voice communication mode (i.e., second state) the telephone set (i.e., electrical pathway) is connected.

25. Regarding Claim 24, Klupt further discloses a switch with labeled positions (Fig. 3 reference 29) that indicates whether the telephone set or the modem is selected (i.e., a detection unit which detects which of the external terminal devices is transmitting).

26. Regarding Claims 25 and 26, Klupt discloses a modem coupler that corresponds to the terminal device claimed and is used such that: if a modem (i.e., a first external terminal device of a first type) is to be connected to a telephone network, it establishes a two-wire serial (i.e., first type of) connection between the telephone network and the modem (column 4, lines 17-25); if a telephone set (i.e., a second external terminal device of a second type other than the first type) is to be connected to a telephone network, it establishes a four-wire parallel (i.e., second

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type of) connection between the telephone network and the telephone set (column 4, lines 36-41); wherein the modem and the telephone set require different connection types (column 2, lines 11-21).

Claim Rejections - 35 USC § 103

27. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

28. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Streck.

29. Regarding Claim 7, as shown above apropos of Claim 1, Streck anticipates all elements except at least an additional terminal connection unit connected to the fifth and sixth pins. Mere duplication of parts has no patentable significance unless a new and unexpected result is produced. See *in re Harza*, 274 F.2d 669, 124 USPQ 378 (CCPA 1960).

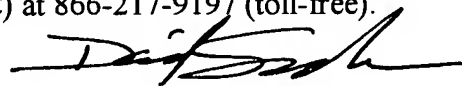
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Swerdlow whose telephone number is 571-272-7531. The examiner can normally be reached on Monday through Friday between 7:30 AM and 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh H. Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Daniel Swerdlow
Examiner
Art Unit 2644

ds

1 April 2005